

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

Thomas E. Underwood and Donald E. Lee, individually
and on behalf of all others similarly situated,

Plaintiffs,

v.

Case No. 2:13-cv-14464
Hon. Laurie J. Michelson

Carpenters Pension Trust Fund - Detroit
and Vicinity Pension Plan (“Plan”) and
Trustees of the Plan,

Defendants.

CLASS ACTION

Eva T. Cantarella (P51917)
Bradley J. Schram (P26337)
Robert P. Geller (P34391)
Hertz Schram PC
1760 S. Telegraph Rd., Ste. 300
Bloomfield Hills, MI 48302
o. 248-335-5000; f. 248-3353346
ecantarella@hertzschram.com
Attorneys for the Class

Edward J. Pasternak (P58766)
John I. Tesija (P36709)
Novara Tesija PLLC
2000 Town Center, Ste. 2370
Southfield, MI 48075
o. 248-354-0380; f. 248-354-0393
ejp@novaratesija.com
tesija@novaratesija.com
Attorneys for Defendants

**UNOPPOSED MOTION TO ENLARGE THE PAGE LIMIT FOR REPLY
BRIEF IN SUPPORT OF PLAINTIFFS’ MOTION FOR COSTS AND
ATTORNEYS’ FEES UNDER ERISA §502(g)(1)**

Pursuant to Local Rule 7.1(d)(3), Plaintiffs Thomas E. Underwood and Donald E. Lee request that the Court enlarge the page limit respecting the reply brief in support of their motion for costs and attorneys’ fees under ERISA §502(g)(1). The

reasons in support of this motion are that (i) recovering the costs and attorneys fees incurred in prosecuting this action is necessary to make the Class members as whole as possible because any other recovery obtained for the Class members will be reduced by any common fund fees awarded, (ii) in order to provide the Court with a thorough discussion of the points and arguments in reply to Defendants' objections to the costs and fees requested, it was necessary to slightly exceed the 7-page limit for reply briefs, and (iii) the motion is unopposed.

Therefore, Plaintiffs request that the Court enlarge the page limit respecting the reply brief in support of their motion for costs and attorneys' fees to 11 pages. A proposed Order has been submitted through the Court's CM/ECF Utilities function, and has been emailed to Defendants' attorneys.

Respectfully submitted February 3, 2016

/s/ Eva T. Cantarella

Eva T. Cantarella (P51917)

Robert P. Geller (P26337)

Bradley J. Schram (P34391)

Hertz, Schram PC

1760 S. Telegraph Rd., Ste. 300,

Bloomfield Hills, MI 48302

o.248-335-5000; f. 248-335-3346; ecantarella@hertzschram.com

Attorneys for the Class

CERTIFICATE OF SERVICE

I hereby certify that on February 3, 2016, I served on the below counsel for Defendants (i) Unopposed Motion to Enlarge the Page Limit for Reply Brief in Support of Plaintiffs' Motion for Costs And Attorneys' Fees Under ERISA §502(g)(1), and (ii) this Certificate of Service, via the Court's CM/ECF system. I also uploaded to the Court a proposed Order via the CM/ECF Utilities function and emailed the proposed Order to the below counsel for Defendants.

Edward J. Pasternak (P58766)
John I. Tesija (P36709)
Novara Tesija PLLC
2000 Town Center, Ste. 2370
Southfield, MI 48075
o. 248-354-0380; f. 248-354-0393
ejp@novaratesija.com
tesija@novaratesija.com
Attorneys for Defendants

/s/ Eva T. Cantarella

Eva T. Cantarella (P51917)
ecantarella@hertzschram.com
Attorney for the Class